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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	Case No.: 2:07-cr-60-JCM-VCF-1
	)	
Plaintiff,	)	
	)	<b>Stipulation to Lift Stay</b>
vs.	)	
	)	
LANCE GRANDBERRY,	)	
	)	
Defendant.	)	
	)	

IT IS HEREBY STIPULATED AND AGREED, by and between Assistant United States Attorney Elizabeth O. White, counsel for the United States of America; and Assistant Federal Public Defender Wendi Overmyer, counsel for Lance Grandberry, to lift the stay of the matter of Grandberry's motion to vacate, ECF No. 167.

This stipulation is entered into for the following reasons:

On May 8, 2019, the Court granted Grandberry's motion to stay proceedings in the matter of his motion to vacate sentence pending final resolution of *United States v. Blackstone*, 903 F.3d 1020 (9th Cir. 2018). ECF No. 184. The Court ordered the parties to file a stipulation within 10 days after the Ninth Circuit issued its mandate or the U.S. Supreme Court resolved *certiorari*. *Ibid*. The Court further ordered that, once the Court

1 lifted the stay, the government would have 14 days to file a supplemental brief pertaining to  
2 any new authority relevant to this action, Grandberry would then have 14 days to respond,  
3 and the government would then have seven days to reply. *Ibid.*

4 On Monday, June 24, 2019, the Supreme Court denied *certiorari* in *Blackstone*, and  
5 the Ninth Circuit issued the mandate in that case. *See* CA No. 17-55023, at Dkt. Entry #65.

6 For the above-stated reasons, the parties stipulate that the stay in these proceedings  
7 should be lifted; that the government should have 14 days from the date the stay is lifted to  
8 file a supplemental brief pertaining to any new authority relevant to this action; Grandberry  
9 should then have 14 days to respond; and the government should then have seven days to  
10 reply.

11 DATED this 3d day of July, 2019.

12 RENE L. VALLADARES  
13 Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

14 By: s/ Wendi Overmyer  
15 Wendi Overmyer  
16 Asst. Federal Public Defender  
Counsel for Joseph Lance Grandberry

By: s/Elizabeth O. White  
Elizabeth O. White  
Assistant United States Attorney  
Counsel for the United States

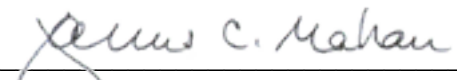
1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 UNITED STATES OF AMERICA, ) Case No.: 2:07-cr-60-JCM-VCF-1  
5 Plaintiff, )  
6 vs. )  
7 LANCE GRANDBERRY, ) **ORDER**  
8 Defendant. )  
9

10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the stay in these proceedings is lifted. The  
12 government shall have 14 days from the date of this Order to file a supplemental brief  
13 pertaining to any new authority relevant to this action; Grandberry shall then have 14 days  
14 to respond; and the government shall then have seven days to reply.

15  
16 DATED July 8, 2019.

17  
18   
19 UNITED STATES DISTRICT JUDGE  
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